

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Tony Simmons,

Civil No. 20-1557 (PJS/LIB)

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Federal Bureau of Prisons, et al.,

Defendants.

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. Plaintiff's Complaint, [Docket No. 1] is **DISMISSED without prejudice** for failure to state a claim upon which relief can be granted under §1915A(b); and
2. Plaintiff's Motion for Emergency Injunctive Relief, [Docket No. 3], is **DENIED as moot.**

DATED: 3/3/21
At Minneapolis, Minnesota

s/Patrick J. Schiltz
Patrick J. Schiltz, Judge
United States District Court